

**IDAHO BOARD OF CHIROPRACTIC PHYSICIANS**  
**Division of Occupational and Professional Licenses**  
P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 10/16/2020**

**BOARD MEMBERS PRESENT:** Herbert W Oliver, D.C. - Chair  
Cathy Hart  
Lynn A Hansen, D.C.  
Shannon Gaertner-Ewing, D.C.  
Craig J Manning, D.C.

**DIVISION STAFF:** Dawn Hall, Section Chief  
Lori Peel, Investigative Unit Manager  
Rob McQuade, Legal Counsel  
Julie Evenson, Licensing Group Manager  
Debbie Toncray, Board Specialist

**OTHERS PRESENT:** Jeremy Brown, Idaho Board of Veterinary Medicine,  
Executive Director  
Dayton Reed, Idaho Board of Veterinary Medicine,  
Attorney General  
Caroline Merritt, Idaho Association of  
Chiropractic Physicians  
Thomas Klassy, D.C.

The meeting was called to order at 2:00 PM MDT by Herbert W Oliver, D.C.

**APPROVAL OF MINUTES**

Dr. Gaertner-Ewing made a motion to approve the minutes of 7/17/2020 and 8/14/2020. It was seconded by Dr. Hansen. Motion carried.

**COMPLAINT MEMORANDUM**

Ms. Peel gave the investigative report, which is linked above.

**FOR BOARD DETERMINATION**

Dr. Gaertner-Ewing made a motion to approve the Division's recommendation and authorize closure in case numbers I-CHI-2019-1 and I-CHI-2019-17. It was seconded by Dr. Manning. Motion carried.

**EXECUTIVE SESSION**

Dr. Hansen made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Dr. Gaertner-Ewing. The vote was: Dr.

Oliver, aye; Ms. Hart, aye; Dr. Hansen, aye; Dr. Gaertner-Ewing, aye; and Dr. Manning, aye. Motion carried.

Dr. Gaertner-Ewing made a motion to come out of executive session. It was seconded by Ms. Hart. Motion carried.

## **DISCIPLINE**

Dr. Hansen made a motion to close case numbers CHI-2020-10, CHI-2020-11, and CHI-2021-1 with an advisory letter. It was seconded by Ms. Hart. Motion carried.

Mr. Nelson presented a Stipulation and Consent Orders in case numbers CHI-2020-2 and CHI-2020-7. Dr. Gaertner-Ewing made a motion to approve the Consent Orders and allow the Board chair to sign on behalf of the Board. It was seconded by Dr. Hansen. Motion carried.

Ms. Peel presented a request for release from probation in case number CHI-2019-1. Dr. Gaertner-Ewing made a motion to approve the release from probation. It was seconded by Dr. Hansen. Motion carried.

## **DISCUSSION WITH BOARD OF VETERINARY MEDICINE**

Mr. Brown discussed the cease and desist letters to chiropractors who violate Idaho Code § 54-2104(p) by practicing on animals without a veterinary referral and supervision. Mr. Brown and the Board agreed that the Board of Veterinary Medicine would draft an email to be sent to all currently licensed chiropractors and work with Dr. Gaertner-Ewing to review and approve it prior to sending the email.

## **EXECUTIVE SESSION**

Dr. Gaertner-Ewing made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Dr. Hansen. The vote was: Dr. Oliver, aye; Ms. Hart, aye; Dr. Hansen, aye; Dr. Gaertner-Ewing, aye; and Dr. Manning, aye. Motion carried.

Dr. Gaertner-Ewing made a motion to come out of executive session. It was seconded by Ms. Hart. Motion carried.

## **APPLICATIONS**

Dr. Gaertner-Ewing made a motion to deny the following based on Rule 100.01.b.iii:

Thomas Klassy

It was seconded by Ms. Hart. Motion carried.

Dr. Gaertner-Ewing made a motion to approve the following pending receipt of additional information:

Applicant ID 901029683

It was seconded by Dr. Manning. Motion carried.

Dr. Gaertner-Ewing made a motion to deny the following based on Idaho Code § 54-712(4) and Idaho Code § 54-713:

Tad Nathan Tenney

It was seconded by Dr. Hansen. Motion carried.

The Board agreed to have the Board chair review two clean and complete applications for endorsement and have Ms. Toncray send them to him.

## **LAWS AND RULES**

Mr. McQuade presented the next steps for the pending rules to be published. Dr. Gaertner-Ewing made a motion to move IDAPA 24.03.01, Rules of the Board of Chiropractic Physicians, as published in the September 16, 2020 Edition of the Idaho Administrative Bulletin, to pending status. It was seconded by Ms. Hart. Motion carried.

## **BOARD BUSINESS**

### **CONFERENCE UPDATES AND ATTENDANCE**

The Board agreed that Dr. Gaertner-Ewing and Dr. Manning would assist with the National Board of Chiropractic Examiners Part IV Examinations in Kansas City, Kansas and Davenport, Iowa, respectively.

**NEXT MEETING** was scheduled for November 6, 2020 at 1:00 PM MST.

## **ADJOURNMENT**

Dr. Manning made a motion to adjourn the meeting at 5:45 PM MDT. It was seconded by Dr. Gaertner-Ewing. Motion carried.

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Herbert W Oliver, D.C., Chair